

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ATLANTIC COAST MARINE
GROUP, INC.,

Plaintiff

CIVIL ACTION NO. 2:22cv87

v.

**OSV SKIPPIN SUE, IMO No. 546513,
her engines, tackle, equipment,
furniture, appurtenances, etc., *in rem*,**

and

**LANSDOWN VENTURES, LLC, *in
personam*.**

Defendant

ORDER APPOINTING SUBSTITUTE CUSTODIAN

Considering the foregoing Motion for Appointment of Substitute Custodian filed by plaintiff, Atlantic Coast Marine Group, Inc. ("ACMG"), and finding same well-founded, it is hereby **ORDERED** as follows:

1. The Court finds that (a) National Marine Services, Inc. ("NMS"), is duly qualified to serve as the Substitute Custodian of the OSV SKIPPIN SUE, her engines, tackle, apparel, and appurtenances, etc. ("Vessel"); (b) NMS, has agreed to assume the responsibility of safekeeping the Vessel; and (c) NMS has agreed to act as Substitute Custodian until further order of the Court.

2. United States Marshal of the United States District Court for the Eastern District of Virginia is authorized and directed upon his arrest, attachment and seizure of the Vessel, her engines, tackle, equipment, appurtenances, etc., pursuant to the Warrant for Arrest issuing in this case, to surrender the possession thereof to the substitute custodian named herein, and that upon

such surrender, the United States Marshal shall be discharged from his duties and responsibilities for the safekeeping of the Vessel.

3. NMS is hereby appointed the substitute custodian of the Vessel to retain the same in its custody for possession and safekeeping until further order of this Court.

4. In consideration of the Court's appointment of the National Maritime Services, Inc. as substitute custodian, ACMG agrees to release the United States and the Marshal from any and all liability and responsibility arising out of the care and custody of the Vessel from the time the U.S. Marshal transfers possession of said Vessel over to the substitute custodian, and the plaintiff further agrees to hold harmless and to indemnify the United States and the Marshal from any and all claims whatsoever arising out of the substitute custodian's possession and safekeeping of the Vessel.

5. While the Vessel is in the custody of NMS, either it or ACMG shall provide liability insurance up to the assessed value of the Vessel.

6. Colonna's Shipyard, Inc., where the Vessel is currently located, shall cease and desist from making additional repairs or otherwise performing any work on Vessel until otherwise ordered by this Court.

7. NMS may move the Vessel with the permission of the Marshal to other berths or anchorages within this judicial district at no cost to the Plaintiff.

Norfolk, Virginia, this 1st day of March, 2022.



Roderick C. Young
United States District Judge